

ASSEMBLY BILL

No. 1505

Introduced by Assembly Member Pan
(Principal coauthor: Senator Kehoe)
(Coauthors: Assembly Members Atkins and Hill)
(Coauthor: Senator Lieu)

January 11, 2012

An act to add Section 972.3 to the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 1505, as introduced, Pan. Department of Veterans Affairs: veterans' benefits.

Existing law establishes the Department of Veterans Affairs, which is responsible for administering various programs and services for the benefit of veterans.

This bill would require the Department of Veterans Affairs to reinstate qualified benefits for qualified veterans. This bill would define the term "qualified benefits" to mean a benefit that is administered by the Department of Veterans Affairs and for which federal funds are not used, or impacted, in the provision of the benefit, and would define the term "qualified veteran" to mean any person who served in the Armed Forces of the United States and who meets specified conditions relating to separation from the Armed Forces of the United States. This bill would require the qualified veteran to provide documentation to the Department of Veterans Affairs relating to separation from the Armed Forces of the United States in a form and manner as prescribed by the Department of Veterans Affairs.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 972.3 is added to the Military and
- 2 Veterans Code, to read:
- 3 972.3. (a) The Department of Veterans Affairs shall reinstate
- 4 qualified benefits for qualified veterans.
- 5 (b) For purposes of this section, both of the following shall
- 6 apply:
- 7 (1) “Qualified benefits” means a benefit that is administered by
- 8 the Department of Veterans Affairs and for which federal funds
- 9 are not used, or impacted, in the provision of the benefit. “Qualified
- 10 benefits” include, but are not limited to, the following:
- 11 (A) College tuition fee waivers for veterans’ dependents.
- 12 (B) Nonresident college fee waiver.
- 13 (C) Disabled veteran business enterprise opportunities.
- 14 (D) Veterans Homes of California.
- 15 (E) Motor vehicle registration fee waiver.
- 16 (F) Disabled veteran license plates.
- 17 (G) Free license plates.
- 18 (H) Veterans preference in California civil service examinations.
- 19 (I) State of California Veterans Cemetery.
- 20 (J) Fishing and hunting licenses.
- 21 (K) Employment and unemployment insurance assistance.
- 22 (L) Farm and home loans.
- 23 (M) State parks and recreation pass.
- 24 (N) Business license tax waiver.
- 25 (O) Property tax exemptions.
- 26 (2) (A) “Qualified veteran” means any person who served in
- 27 the Armed Forces of the United States and who meets both of the
- 28 following conditions:
- 29 (i) Separation from the Armed Forces of the United States
- 30 resulted solely on the basis of sexual orientation pursuant to any
- 31 federal policy prohibiting homosexual personnel from serving in
- 32 the Armed Forces of the United States, including, but not limited
- 33 to, Section 654 of Title 10 of the United States Code.
- 34 (ii) Separation did not result from any other violation.

1 (B) The definition of “qualified veteran” provided by this
2 paragraph shall apply regardless of the classification of separation
3 from the Armed Forces of the United States executed by the federal
4 government, including, but not limited to, dishonorable discharge.

5 (c) The qualified veteran shall provide documentation to the
6 Department of Veterans Affairs relating to separation from the
7 Armed Forces of the United States, including, but not limited to,
8 a DD form 214, in a form and manner as prescribed by the
9 Department of Veterans Affairs.

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